



03-17-05

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 1651

Certificate Under 37 CFR § 1.10

Attorney

Docket: 12905

) I hereby certify that this correspondence is being deposited with
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Applicant: Tacon *et al.*

) on 3-16-2005

Judy Readman
Judy Readman

Title: Shaped Microparticles for
Pulmonary Drug Delivery

ED 277297311 US
Mailing Label No.

Serial No.: 10/020,464

Filed: November 30, 2001

Examiner: Naff, David M.

PETITION TO REVIVE APPLICATION UNINTENTIONALLY ABANDONED

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. § 1.137(b), Applicants hereby petition for the revival of the abovecaptioned Application.

2. In an Office Action dated June 16, 2004, the Examiner imposed a Restriction Requirement and set a shortened statutory period to reply of one month. Thus, the period for reply, with extensions, was set to expire December 16, 2004.

3. In an Office Action dated January 7, 2005, the Examiner mailed a Notice of Abandonment stating: "No reply has been received."

03/18/2005 MAHMEED1 00000082 10020464

01 FC:2453

750.00 OP

4. Applicants hereby state that the entire delay in filing the accompanying Reply from the due date for the reply until the filing of this Petition was unintentional.

5. Included herewith, Applicants submit the required Reply to the above-mentioned Restriction Requirement.

6. Pursuant to 37 C.F.R. § 1.17(m), a fee of \$750.00 (small entity) is due. Applicants enclose herewith a credit card authorization form PTO-2038 for \$750.00 for the abovementioned fee. Please charge any additional fees, or credit any overpayments in connection with the Petition to Applicants' undersigned counsel's Deposit Account 021266. A duplicate copy of this authorization is also enclosed.

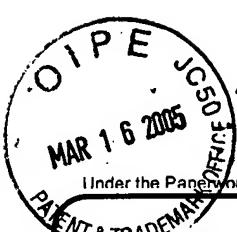
Respectfully submitted,



William B. Richards, Esq.
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Effective on 12/08/2004.

As provided to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

750.00

Complete if Known

Application Number	10/020,464
Filing Date	11-30-2001
First Named Inventor	Tracon et al.
Examiner Name	Dabvid M. Naff
Art Unit	1651
Attorney Docket No.	12905

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____
 Deposit Account Deposit Account Number: 021266 Deposit Account Name: Battelle Memorial Institu

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	
				Fee (\$)	Fee (\$)
- 20 or HP =	x	=		50	25

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=			

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		=

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition to Revive Unintentionally Abandoned Application

750.00

SUBMITTED BY

Signature	<u>William B. Richards</u>	Registration No. 44,301 (Attorney/Agent)	Telephone 614-424-5612
Name (Print/Type)	William B. Richards		Date 03-16-2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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